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CITY AND COUNTY OF SAN FRANCISCO
AND SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA RESTAURANT
ASSOCIATION,

Plaintiff,

vs.

THE CITY AND COUNTY OF SAN
FRANCISCO AND THE SAN
FRANCISCO DEPARTMENT OF
PUBLIC HEALTH,

Defendants.

Case No. C08-3247 CW

**STIPULATION EXTENDING
DEFENDANTS' TIME TO RESPOND
TO PLAINTIFF'S COMPLAINT**

(Civil Local Rule 6.1(a))

Honorable Claudia Wilken

STIPULATION

WHEREAS, on July 3, 2008, Plaintiff California Restaurant Association filed a Complaint and a Motion for Declaratory Relief and a Preliminary Injunction ("Motion") against the City and County of San Francisco and the San Francisco Department of Public Health ("Defendants") seeking to enjoin Defendants from enforcing Ordinance 40-08;

WHEREAS, on July 7, 2008, Plaintiff served Defendants with the Summons and Complaint;

WHEREAS, the Parties have stipulated to a briefing schedule for Plaintiff's Motion and anticipate that the Motion will be heard on or around September 4, 2008;

WHEREAS, under Rule 12 of the Federal Rules of Civil Procedure, a responsive pleading must be filed within twenty (20) days after service of the summons and complaint;

WHEREAS, in light of the stipulated briefing schedule for the Motion, the Parties agree that it would be an inefficient use of judicial resources for the City to file a motion to dismiss before the Court has heard and decided Plaintiff's Motion;

WHEREAS, extending the time for Defendants to respond to the Complaint will not alter the date of any event or any deadline already fixed by Court order;

IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff and Defendants that:

Defendants' time to file a responsive pleading under Rule 12 of the Federal Rules of Civil Procedure shall be extended to twenty (20) days after the date of the Court's ruling on Plaintiff's Motion.

1 **SO STIPULATED:**

2 Dated: July 11, 2008

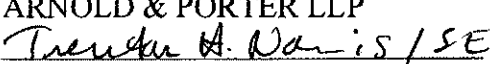
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9 By: 

10 TARA M. STEELEY

11 Attorneys for Defendant
12 CITY AND COUNTY OF SAN FRANCISCO

13 Dated: July 11, 2008

14 ARNOLD & PORTER LLP
15 By: 
16 TRENTON H. NORRIS
17 Attorneys for Plaintiff
18 CALIFORNIA RESTAURANT ASSOCIATION
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